

REMARKS

In response to the above-identified Final Office Action, the Applicants present the below remarks and respectfully request reconsideration of the application, as amended, in light of these remarks. The amendments place the application in condition for allowance or in better form for appeal and, thus, shall be entered under 37 C.F.R. 1.116.

The Examiner rejected claims 1-19 and 22-27 under 35 U.S.C. 102 (e) as being anticipated by U.S. Patent 6,167,378 (hereinafter Webber '378). The Examiner also rejected claims 20 and 21 under 35 U.S.C. 103 (a) as being unpatentable by Webber '378 and further in view of U.S. Patent 6,401,085 (hereinafter Gershman '085). The Applicants respectfully traverse these rejections for the reasons set out below.

Applicants contend that references individually or in combination do not teach or suggest all limitations of claim 1, or the other independent claims of the present application. The Applicants' arguments shall be presented with respect to claim 1. However, these comments are applicable to the other independent claims of the present application, and the Examiner is respectfully requested to consider these comments and remarks when reviewing the other independent claims for allowability.

Webber does not teach or suggest the present invention, as claimed, specifically

directing the enhanced content programming responsive to said request at the user receiver via the network, said directing step performed by the content provider;

detecting triggers embedded in the enhanced content programming, said detecting step performed by a third party;

intercepting the enhanced content programming, said intercepting step performed by said third party;

determining if the enhanced content programming complies with a set of third party parameters;

permitting the enhanced content programming to be received by the user receiver if the enhanced content programming complies with said set of third party parameters;
and

preventing the enhanced content programming from being received by the user receiver if the enhanced content

programming does not comply with said set of third party parameters. (emphasis added)

Webber discloses an automated back office transactions system, which manages complex sales of goods transactions involving several parties, such as sellers, buyers, shippers, marketers, suppliers, manufacturers, etc. The Final Office Action states that tangible goods, which can be a computer program, disclosed in Webber are equivalent to the claimed enhanced content programming as claimed. However, even if the Applicants arguendo assume that the tangible goods in Webber are equivalent to the enhanced content programming, in Webber the tangible goods are not directed to the user via the network over which the request for the goods was submitted. In fact, in Webber the tangible goods are shipped via regular shipping method, i.e. services of United States Postal Office (Column 7, lines 45-47). Thus, Webber does not teach or disclose directing the enhanced content programming responsive to said request at the user receiver via the network, said directing step performed by the content provider.

The Final Office Action states that “the use of encryption techniques [in Webber] effectively functions as triggers embedded in the computer program to limit/prevent the user of or access to certain parts of the computer program.” Webber states that the CAP and computing module utilize available secure socket layer protocols and public key encryption technology, that is available from RSA Data security (Column 8, lines 59-63). In Webber the encryption technology is used for communication between the computing module, the CAP, the enterprises, etc. It appears that the Final Office Action’s reference to “computer program” emphasizes the Final Office Action assertion that the “tangible goods” of Webber are equivalent to “enhanced content programming” as claimed. However, even if the Applicants assume arguendo that the tangible goods are equivalent to the enhanced content programming, there is no disclosure in Webber that the triggers are embedded in tangible goods to be shipped to the requestor of the goods. And thus,

Webber does not teach or suggest detecting triggers embedded in the enhanced content programming.

The Final Office Action states that the use of firewalls in Webber to monitor activities between the various parties provides third party interaction. The firewall in Webber does not perform detecting of triggers embedded in the enhanced content programming. Moreover, the firewall does not perform intercepting the enhanced content programming. In addition, there is no disclosure in Webber that the “tangible goods” are checked to determine whether they comply with third party, i.e. firewall according to the Final Office Action, parameters. The firewall protects and verifies a customer identifier associated with the customer, a bank identifier associated with the bank, and password (Column 8, lines 63-65). The firewall does not include parameters to be used to determine whether the tangible goods comply with those parameters. Thus, Webber does not teach or suggest detecting triggers performed by a third party; intercepting the enhanced content programming, said intercepting performed by said third party; and determining if the enhanced content programming complies with a set of third party parameters.

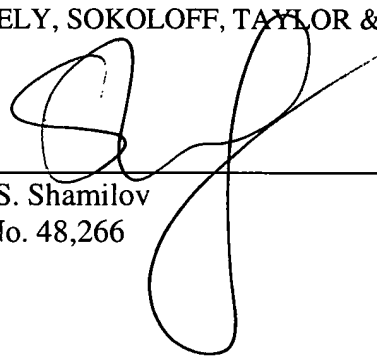
The Applicants submit that the rejection under 35 U.S.C. § 102 (e) and 103 (a) has been addressed, and withdrawal of this rejection is respectfully requested. The Applicants furthermore submit that all pending claims are in condition for allowance, which is earnestly solicited.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicants hereby request such an extension.

Respectfully submitted,

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MARKED UP VERSION OF THE SPECIFICATION

Please amend the specification as follows:

Please replace the paragraph on page 1, line 5, under RELATED APPLICATIONS, with the following rewritten paragraph:

--This application [is a continuation-in-part of and] claims the benefit of U.S. Provisional Application No. 60/203,461, filed May 11, 2000, the disclosure of which is incorporated by reference.--

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